

H59PSCHC

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK

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3 BENJAMIN SCHWARZ, ET AL.,

4 Plaintiffs,

5 v.

6 THINKSTRATEGY CAPITAL
7 MANAGEMENT LLC, ET AL,

8 Defendants.

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9 New York, N.Y.

10 May 9, 2017

1:08 p.m.

11 Before:

12 HON. PAUL A. ENGELMAYER,

13 District Judge

14 APPEARANCES

15 GISKAN, SOLOTAROFF & ANDERSON & STEWART, LLP

Attorneys for Schwarz Plaintiffs

16 BY: JASON SOLOTAROFF

17 U.S. SECURITIES AND EXCHANGE COMMISSION

Attorneys for SEC Plaintiff

18 BY: MICHAEL J. ROESSNER

MARSHA C. MASSEY

19 HARRIS, O'BRIEN, ST. LAURENT & CHAUDHRY LLP

20 Attorneys for Schneider Plaintiffs

21 BY: JONATHAN HARRIS

22 CREIZMAN PLLC

Attorneys for the Defendants

23 BY: ERIC M. CREIZMAN

H59PSCHC

(In open court)

(Case called)

MR. SOLOTAROFF: For the Schwarz plaintiffs, Jason Solotaroff.

THE COURT: Good afternoon, Mr. Solotaroff.

MS. MASSEY: Good afternoon, Judge. Marsha Massey on behalf of the Securities and Exchange Commission.

THE COURT: Good afternoon.

MR. ROESSNER: Mike Roessner for the SEC.

THE COURT: Good afternoon.

MR. HARRIS: Good afternoon, your Honor. Jonathan Harris, Harris, O'Brien & Chaudhry, for the Schneider plaintiffs.

THE COURT: All right. Good afternoon.

MR. CREIZMAN: Good afternoon, your Honor. Eric Creizman, and with me is Chetan Kapur.

THE COURT: Good afternoon to you, and good afternoon to you, Mr. Kapur. You may all be seated.

I have received the submissions from the SEC, and I've received the submissions from Mr. Kapur. Just for the record, has anyone else made any written submissions in this matter?

MR. SOLOTAROFF: No, Judge. The Schwarz plaintiffs join in the SEC.

THE COURT: I assumed as much. Thank you.

MR. HARRIS: Your Honor, the same for the Schneider

H59PSCHC

1 plaintiffs.

2 THE COURT: Since the last submission I received, has
3 there been any factual developments? Is there anything else to
4 bring to my attention? That would be no. Okay. In that case,
5 I have a ruling to read from the bench.

6 I am now going to issue a ruling addressing
7 Mr. Creizman's motion made on Chetan Kapur's behalf to lift the
8 finding of contempt against Mr. Kapur and discharge him from
9 detention. For your planning purposes, I do not intend to
10 issue a written decision. There will simply be a bottom-line
11 order of the issues that incorporates by reference the Court's
12 opinion from the bench, this opinion. Therefore, if the
13 content of what I say is significant to counsel, you will need
14 to obtain the transcript.

15 I am going to begin by recapping the key facts. On
16 July 1st, 2015, the Court held defendant Chetan Kapur in civil
17 contempt for failure to pay money towards the multi-million
18 dollar judgments the Court had entered against him in two civil
19 cases. One case was brought by the Securities and Exchange
20 Commission entitled *Securities and Exchange Commission v.*
21 *Chetan Kapur and Lilaboc LLC*, 11 CV 8094 (PAE). There, the
22 consent judgment against Mr. Kapur is for \$4,988,196.59, which
23 consists of disgorgement, civil penalties and pre-judgment
24 interest.

25 The other case was brought by plaintiff investors, who

H59PSCHC

1 are members of the Schwarz family, *Benjamin Schwarz, Christina*
2 *Schwarz and Daniel Schwarz v. Thinkstrategy Capital Management*
3 *LLC and Chetan Kapur*, 09 CV 9346 (PAE). The judgment there was
4 obtained after a civil bench trial. It is for \$4,836,473,
5 which includes pre-judgment interest.

6 In its July 1, 2015, decision, which is docketed in
7 the SEC case, 11 CV 8094 at docket 68, the Court reviewed at
8 length the evidence of Mr. Kapur's access to funds. That
9 evidence had been developed after a several-day contempt
10 hearing and included voluminous evidence adduced by the SEC.

11 The Court held that Kapur had not proven his inability
12 to pay money towards the two judgments. On the contrary, the
13 Court held the SEC had identified several categories of assets
14 that appeared available to Mr. Kapur, and Mr. Kapur had been
15 given ample opportunities to pay the judgments but had
16 continued to skirt them, while using money made available to
17 him for his personal benefit.

18 As a meanings of coercing Mr. Kapur to pay towards the
19 judgments, the Court ordered Mr. Kapur incarcerated until he
20 either purged the contempt, by repatriating assets towards the
21 judgments, or established that compliance was not possible.
22 The sanction took effect, and Mr. Kapur surrendered to the
23 United States marshals on July 7th, 2015.

24 As of Sunday, May 7, 2017, Mr. Kapur has been
25 incarcerated for 22 months, pursuant to the Court's civil

H59PSCHC

1 contempt order. Over that period, the Court has held numerous
2 conferences with counsel and Mr. Kapur. At each conference,
3 the Court has reviewed with counsel the facts relating to the
4 assets ostensibly available to Mr. Kapur. Further facts have
5 been adduced as to various categories of assets, and at each
6 conference, the Court has assessed whether the contempt
7 sanction of incarceration continued to be justified. Each
8 time, the Court found that it was.

9 Over the course of these conferences, the Court has
10 received helpful guidance from counsel for the judgment
11 creditors. For the SEC, that is Mr. Roessner, and for the
12 Schwarz plaintiffs, that was Mr. Solataroff. The Court has
13 also benefited from the appearance and the able work of counsel
14 for Mr. Kapur.

15 Mr. Kapur had originally been pro se, including at the
16 time of the evidentiary hearing that led to the contempt
17 sanction. Mr. Kapur came to be represented by Mr. Creizman and
18 Ms. Polisi. Before counsel appeared for him, Mr. Kapur had
19 been essentially unresponsive to the contempt sanctions. Since
20 counsel for Mr. Kapur appeared, the defense, meaning both
21 Mr. Kapur and counsel on his behalf, have taken productive
22 steps to try to purge the contempt.

23 Those efforts have been particularly evident over the
24 last six to nine months. I attribute this productive activity
25 to the appearance of counsel and also, no doubt, to the

H59PSCHC

1 negative experience for Mr. Kapur of being detained for more
2 than a year in the Metropolitan Detention Center.

3 Since the contempt sanction was put into place, the
4 SEC, in particular, has been assiduous in using its unique
5 resources to continue to investigate the history and current
6 status of assets associated with, or formerly held by, or in
7 the name of, Mr. Kapur. As a result of these efforts, the
8 Court has received additional evidence about various assets.
9 This evidence has taken the form of account records, as well as
10 electronic and other communications by Mr. Kapur and others.

11 Over the course of the many conferences with counsel,
12 the basis for the continued contempt sanction has gradually
13 narrowed to a single asset. That asset, and this is
14 significant for today's proceeding, is the bank account at Bank
15 Vontobel, a Swiss bank, held in the name of the "Family and
16 Children Charitable Foundation."

17 The Court, in fact, recently supplemented its findings
18 as to the Bank Vontobel account based on information that the
19 SEC uncovered. As reflected in the Court's findings, Mr. Kapur
20 while the sole managing principal of ThinkStrategy Capital
21 Management LLC, transferred \$2,144,147.20 from ThinkStrategy to
22 a foreign entity under his control. Through a series of later
23 transfers involving other foreign entities, that money wound up
24 in the Bank Vontobel account in Switzerland, where it sits
25 today.

H59PSCHC

1 Chetan Kapur used to be the beneficiary of that bank
2 account, which is formally owned by the Mossack Fonseca Law
3 Firm. However, in 2014, Mr. Kapur -- and this was before the
4 contempt proceedings began -- made his brother, Kabir Kapur,
5 the beneficiary.

6 I should add that the Bank Vontobel account is today
7 frozen by Swiss authorities for independent reasons, unrelated
8 to the SEC and Schwarz actions. As a result, there is no
9 action that the Court can take in these proceedings that can
10 get money released from that account now.

11 The issue relating to that account here is whether
12 Chetan Kapur has taken all of the steps he can to reverse the
13 designation of Kabir Kapur as the account's beneficiary and to
14 relinquish any claims he, Chetan Kapur, has to that account in
15 favor of the judgment creditors. That way, in the event the
16 account is ever unfrozen and still has a positive balance, the
17 assets in that account would then promptly be available to
18 Chetan Kapur's judgment creditors.

19 That brings me to the present motion. Mr. Creizman
20 has now moved on Mr. Kapur's behalf for the Court to lift the
21 contempt sanction and to discharge him from detention.
22 Mr. Creizman argues that over the past months, Chetan Kapur,
23 both directly and through counsel, has done everything he can
24 realistically do and has taken all the steps he can
25 realistically take in this regard.

H59PSCHC

1 Specifically, Mr. Creizman notes, Chetan Kapur has
2 done the following. He has renounced any claim he has in the
3 Vontobel account in favor of the SEC. Thus, if beneficiary
4 status in the Vontobel account were to be transferred back to
5 Chetan Kapur, the SEC would become the beneficiary of the
6 Vontobel account, so as to facilitate the payment of the civil
7 judgment.

8 To obtain a transfer of the beneficiary status,
9 Mr. Creizman notes, Chetan Kapur has also written his brother,
10 Kabir Kapur, and asked Kabir Kapur to reverse the beneficiary
11 status. Chetan Kapur has also written his mother, who is also
12 Kabir Kapur's mother, to seek her intervention with Kabir
13 Kapur. Mr. Creizman separately has also entreated Kabir Kapur,
14 the Kapur brothers' mother and, for that matter, Mossack
15 Fonseca, to reverse the beneficiary designation.

16 Mr. Creizman has explained that Chetan Kapur is
17 languishing in federal prison, and has been since July 2015, on
18 account of the Bank Vontobel account and that he may languish
19 therein definitely if there is not productive movement.

20 I would note that the Court has reviewed documentary
21 proof of these various communications. Most of these
22 communications have been made available to the plaintiff
23 judgment creditors in these actions. Some, or really aspects
24 of some, have been provided to the Court ex parte or in
25 redacted form, for legitimate reasons, including on account of

H59PSCHC

1 privilege.

2 However, Mr. Creizman notes, notwithstanding these
3 efforts, Kabir Kapur has refused to budge. Kabir Kapur has
4 refused to correspond with counsel. He has refused to respond
5 to counsel's inquiries. Kabir Kapur has refused to heed Chetan
6 Kapur's entreaties and his mother's entreaties to change the
7 beneficiary on the Vontobel account.

8 Kabir Kapur has also refused to discuss a possible
9 compromise that the mother, Manju Kapur, has proposed, and to
10 which the judgment creditors were potentially receptive, in
11 which Kabir Kapur could keep some of the funds, while the
12 majority would be released to Chetan Kapur's creditors.

13 As a result, Mr. Creizman argues, the contempt
14 sanction can no longer be claimed to be effective. As
15 Mr. Creizman puts the point, if holding Chetan Kapur in federal
16 prison for 22 months is not enough to catalyze his brother into
17 transferring back the beneficiary status, it is speculative to
18 claim that his continued incarceration for another month or two
19 or three or six months or a year would spur Kabir Kapur to act.

20 Mr. Creizman argues that, as frustrating as Kabir's
21 Kapur's intransigence has been, Chetan Kapur has now done all
22 he realistically can do. Mr. Creizman argues that Mr. Kapur's
23 continued incarceration would only be punitive.

24 The SEC, supported by the Schwarz plaintiffs, supports
25 the continued incarceration of Mr. Kapur. The SEC notes that

H59PSCHC

1 it was Mr. Kapur who created the present predicament by
2 transferring, some years ago, the beneficiary ownership to
3 Kabir Kapur. That transfer, the SEC argues, was strategic, to
4 avoid the judgments against Chetan Kapur. And the SEC notes
5 there is evidence of historical collaboration between the
6 brothers Kapur, in which Kabir Kapur helped fund Chetan Kapur's
7 expenses, albeit not through the Vontobel account.

8 The SEC theorizes that the Kapur brothers are playing
9 a long game. Once Chetan Kapur is released from prison, the
10 SEC argues, Kabir will be there to support him financially,
11 including, if Kabir Kapur ever lays hands on it, from the
12 Vontobel account. The SEC asks the Court to continue
13 imprisoning Chetan Kapur.

14 With that preface, I'll now address the motion. I
15 want to begin by clarifying, including for the nonlawyers who
16 are here, including any of Mr. Kapur's victims who are here --
17 I don't think I see any, but they've been here in the past --
18 what the narrow issue here is under the law governing civil
19 contempt. It is whether continued imprisonment of Mr. Kapur,
20 after 22 months, has a realistic possibility of coercing him to
21 act so as to comply with the Court's judgments.

22 So the issue is not whether Mr. Kapur's conduct
23 warrants punishment. Under the law, punishment is not a proper
24 purpose of a contempt sanction. The purpose of the contempt
25 sanction, instead, is to induce action in the form of

H59PSCHC

1 achievable compliance with the Court order.

2 As the Second Circuit has explained: "A civil
3 contempt order is designed to be coercive rather than
4 punitive." *Citing Huber v. Marine Midland Bank*, 51 F.3d 5, at
5 10 (2d Cir. 1995). So the issue is not whether Mr. Kapur
6 deserves punishment. It is not whether a castigating moral
7 judgment can be reached about Mr. Kapur, based on his track
8 record of lawless conduct and his callous and selfish conduct
9 towards his investor victims.

10 The Court can well understand why Mr. Kapur's victims
11 and their counsel are so enraged by his behavior. Indeed,
12 Mr. Kapur's own lawyers write the following: "Chetan Kapur has
13 done things in these proceedings that are disgraceful.
14 Plaintiffs have a right to feel cheated and deceived. We
15 cannot seriously dispute that Kapur's lack of credibility with
16 the Court and with plaintiffs has not been well earned, given
17 his track record." Docket 166 at Page 4. Again, that's
18 Mr. Kapur's lawyers speaking.

19 But this is not a criminal case. It's not a
20 sentencing proceeding. This is not judgment day. It's about
21 the steps that realistically can bring about payment of a
22 judgment, and while the proceeding is called a contempt
23 proceeding, the issue here is not whether Mr. Kapur's behavior
24 is, in some vernacular sense, contemptible.

25 Finally, the issue is not whether Kapur has committed

H59PSCHC

1 crimes. Mr. Kapur was earlier prosecuted by the United States
2 Attorney in this district for investment fraud. That case
3 resulted in a guilty plea and a term of some 12 months in
4 federal prison. And if counsel for the SEC or the Schwarz
5 plaintiffs believe the evidence adduced in these proceedings
6 reveals criminal conduct not extinguished by Mr. Kapur's guilty
7 plea, they are at liberty to bring it to the attention of
8 federal or local prosecutors, if they have not already done so.

9 The issue here, instead, is whether continued
10 incarceration will have a realistic coercive effect on
11 Mr. Kapur so as to prod him to act so as to bring about payment
12 of the judgments against him. The burden is on the contemnor,
13 Mr. Kapur, to show his inability to comply. Citing *Huber*, 51
14 F.3d at 10.

15 But in applying the standard, the Second Circuit has
16 instructed that, "at some point, confinement for civil contempt
17 loses its coercive effect and becomes punitive." *Commodities*
18 *Futures Trading Commission v. Armstrong*, 269 F.3d 109, at 112
19 (2d Cir. 2001)

20 As the Second Circuit has put the point: "When it
21 becomes obvious that sanctions are not going to compel
22 compliance, they lose their remedial characteristics and take
23 on more of the nature of punishment." Citing *Simkin v. United*
24 *States*, 715 F.2d 34, at 36 to 37 (2d Cir. 1983) Quoting the
25 case of *Soobzokov v. CBS, Inc.*, 642 F.2d 28, at 31, (2d Cir.

H59PSCHC

1 1981).

2 For that reason, in cases in which witnesses have
3 refused to testify in response to a grand jury subpoena and
4 have, therefore, been found in civil contempt and imprisoned,
5 courts have declined to permit an indefinite period of
6 detention. Instead, unless there is a substantial likelihood
7 found that "continued confinement will accomplish its coercive
8 purpose," the witness is to be released from custody. Citing
9 *Simkin*, 715 F.2d at 37. In cases involving refusals to
10 testify, in fact, Congress has determined that 18 months is the
11 absolute outer bound of confinement, pursuant to civil
12 contempt. See 28 U.S.C. section 1826(a).

13 Now, the same statutory outer limit does not apply to
14 cases of civil contempt involving failure to pay a judgment.
15 The cases are few and far between in which such confinement has
16 exceeded 18 months.

17 Applying these standards here, it's important to
18 recognize that there is no claim that Mr. Kapur, Chetan Kapur,
19 himself, personally, has custody or control of money which he
20 is refusing to pay. He does not. The sanction here is not
21 about getting Mr. Kapur to sign a check and approve a wire
22 transfer from the Vontobel account. As to that account, the
23 point of incarceration has not been to get Mr. Chetan Kapur to
24 direct that money be paid from that account towards his
25 judgment. Mr. Kapur cannot do so. Although, he has done the

H59PSCHC

1 act of renouncing a claim to that account, should he become the
2 beneficiary.

3 The purpose of the contempt sanction has been to get
4 the beneficiary status of that account transferred back from
5 Kabir Kapur to Chetan Kapur, and thereafter to the SEC. And
6 the man who controls the beneficiary status of the Vontobel
7 account is Chetan Kapur's brother, Kabir Kapur.

8 On the record that has developed during the past 22
9 months, the Court is hard-pressed to identify anything further
10 Chetan Kapur can do, and petitioners, too, have come up empty
11 in identifying further practical steps that Chetan Kapur can
12 take. To be sure, for a long time Mr. Kapur did nothing. He
13 stood pat. But starting roughly eight months ago, he began to
14 take this situation more seriously.

15 There is now a documentary record of some eight months
16 of sustained efforts by Mr. Kapur and Mr. Creizman to prompt
17 action. They have made Mr. Kapur's incarceration known to
18 Kabir Kapur, to the Kapurs' mother, and to Mossack Fonseca.
19 They have demanded repeatedly that Kabir Kapur change the
20 beneficiary designation. They have floated a settlement
21 proposal, a compromise to Kabir Kapur, brokered by none other
22 than the mother of the Kapur brothers.

23 This timeline reflects that the contempt sanction here
24 had some utility. It took more than a year, but eventually,
25 being in prison indefinitely spurred, in recent months,

H59PSCHC

1 meaningful action by Chetan Kapur to try to get the beneficiary
2 designation reversed. Mr. Kapur, had you taken these actions
3 earlier, had you approached this process seriously, rather than
4 sitting idly by for more than a year and denying any
5 responsibility to your victims, we might well have come to this
6 day much earlier.

7 The point is, though, that over the last eight months
8 or so, guided ably by Mr. Creizman, Mr. Kapur has finally
9 acted. Mr. Creizman deserves much credit. He listened to the
10 Court's suggestions, and I might add to plaintiff's counsel's
11 suggestions, as to ways of trying to get the beneficiary
12 designation reversed. He has pursued each. None, however,
13 have borne fruit.

14 The SEC responds in its most recent submissions with
15 several arguments. First, it notes that Chetan Kapur's
16 inability to comply with the Court's judgments is ultimately
17 self-created. It was Chetan Kapur who changed the beneficiary
18 designation to his brother prior to the contempt proceeding,
19 presumably to make the Vontobel account harder to reach by
20 creditors. Had Chetan Kapur not done that, the SEC fairly
21 argues, the present predicament would not exist. The
22 beneficiary designation could be changed here and now to the
23 judgment creditors.

24 Factually, the SEC's argument is inescapably accurate.
25 The Court credits that that was exactly why Chetan Kapur

H59PSCHC

1 changed the designation, to block his creditors. The problem,
2 though, with the SEC's argument is that it explains too much.
3 It would justify indefinite incarceration of Chetan Kapur. By
4 the SEC's logic, Chetan Kapur could be held in custody forever,
5 for a year or five years or ten years or more.

6 At this point, Kabir Kapur has known for 22 months
7 that his brother is in federal prison in New York. That is
8 nearly twice the length of time Chetan Kapur served in federal
9 prison as a result of his sentence on the criminal case. Yet,
10 Kabir Kapur has not been moved to act.

11 The SEC has not identified a case with a materially
12 longer period of coercive custody than this. The SEC has not
13 identified any logical endpoint to its argument. The judgment
14 creditors have not given the Court any good reason why the next
15 two months or 12 months or 22 months or 32 months in prison are
16 likely to be any different or to spur Kabir Kapur to act, if he
17 has not acted already.

18 Second, the SEC notes there is evidence of deceptive
19 financial behavior involving Chetan Kapur. In 2014, before the
20 Vontobel account was frozen, Kabir Kapur withdrew some proceeds
21 from it for Chetan Kapur's benefit.

22 The SEC also presents new evidence that in 2015, after
23 he was imprisoned Chetan Kapur engaged in deception with
24 respect to the \$92,000 engagement ring returned by a person,
25 who I'm sure is glad to refer to herself as his ex-fiancé.

H59PSCHC

1 Through a roundabout route, the fruits of the sale of that ring
2 were used to pay Chetan Kapur's rent. But the SEC's argument
3 focuses on the wrong issue.

4 The decision for the Court about whether to maintain
5 the contempt sanction is not a report card on Chetan Kapur's
6 integrity or his good faith. The Court is prepped to accept
7 the characterization by the SEC of Mr. Kapur as deceitful and
8 manipulative. The Court, in fact, made findings to the same
9 effect in its July 1, 2015, decision finding Mr. Kapur in
10 contempt. The Court there found Mr. Kapur, among other things,
11 to be a persistent liar, and Mr. Kapur's own lawyers today call
12 him "disgraceful."

13 The issue before the Court today, though, is a
14 functional one. It is whether there is now, after 22 months in
15 prison, a realistic prospect that continued incarceration of
16 Mr. Kapur will bring results, meaning whether it will cause his
17 brother in India finally to change the designation on the
18 Vontobel account. On that issue, the evidence, old and new, of
19 Chetan Kapur's historical malfeasance simply does not show that
20 Mr. Kapur maintains suasion over his brother such that the
21 additional incarceration of Mr. Kapur and additional entreaties
22 by him to his brother will cause Kabir Kapur to act.

23 After giving the matter a great deal of thought, the
24 Court's judgment is that, barring a change in the factual
25 record, it is no longer realistic to expect that Mr. Kapur's

H59PSCHC

1 incarceration will prompt Kabir Kapur to reverse the
2 beneficiary designation on the Vontobel account. His brother
3 has been in federal prison for 22 months. Any finding that
4 keeping Chetan Kapur in custody a little longer would do the
5 trick would be based on speculation and hope. It would not be
6 based on facts and evidence and the reasonable inferences
7 therefrom.

8 The Court is constrained to conclude that any further
9 incarceration of Chetan Kapur, on the present record, would be
10 punitive. It would not be productively or realistically
11 coercive.

12 The Court will, therefore, issue an order later today
13 lifting the finding of contempt and discharging Mr. Kapur from
14 custody.

15 In so ruling, the Court does not rule out that changed
16 circumstances could justify a reinstatement of the contempt
17 sanction. The Court's finding is based on the present record.
18 Mr. Kapur, you remain obligated to pay the two judgments
19 against you. I expect you to do so. I expect you to take your
20 legal duties seriously. If you are found to have access to
21 funds which you are not using for that purpose, I expect the
22 Court will receive an application from plaintiffs. Depending
23 on the facts, you could end up being subject to civil contempt
24 again or even to criminal prosecution.

25 Your track record of selfishness, irresponsibility and

H59PSCHC

1 deceit has been, in the words of your counsel, disgraceful.

2 The plaintiffs in these two actions and the judiciary and this
3 great nation, in which you are fortunate enough to live, expect
4 better of you.

5 To the plaintiffs, I wish you well in collecting on
6 these judgments. The Court stands ready to grant any
7 meritorious application that will assist you in collecting on
8 them. It is my expectation, too, that plaintiff's counsel have
9 put these 22 months to good use. It is my expectation that
10 counsel for the judgment creditors have worked assiduously to
11 do what they can to block the release of funds from the
12 Vontobel account to anyone other than the judgment creditors.

13 As I have noted, the Vontobel account remains frozen.
14 Mr. Roessner, Mr. Solotaroff, I wish you well in your efforts
15 to assure that, if it ever becomes unfrozen, the plaintiffs
16 here, and not Kabir Kapur, will gain title to it.

17 Therein ends the Court's ruling. Does anyone have
18 anything further, beginning with the SEC?

19 MR. ROESSNER: No, your Honor.

20 THE COURT: Okay. Mr. Solotaroff?

21 MR. SOLOTAROFF: No, Judge.

22 THE COURT: Mr. Creizman?

23 MR. CREIZMAN: No, your Honor.

24 THE COURT: All right. Look, I want to thank counsel,
25 all of you, for your very able advocacy over these 22 months,

H59PSCHC

1 and I want to reiterate what I said at the end to plaintiffs'
2 counsel. At this stage, there is no longer a basis for
3 continued coercive contempt for the reasons that I've stated.
4 But the judgment creditors have an ongoing judgment in their
5 favor and an interest in vindicating that judgment.

6 I invite you to come back to me if there are
7 applications you have, for steps that I can take to make sure
8 that the judgment is vindicated. If there are things that I
9 can productively do of any nature, not necessarily sounding in
10 civil contempt, but anything that I can do to help vindicate
11 the judgment, I stand ready.

12 Thank you. We stand adjourned.

13 (Adjourned)
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